



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	KNG-200212650
EVALUATOR:	Ms. Kaaren N. Geter
PHONE NO.:	(601) 631-5162
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	June 19, 2003
EXPIRATION DATE:	July 10, 2003

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. H.C. Bailey, Jr.
Highland Colony Land Company
1052 Highland Colony Parkway
Ridgeland, Mississippi 39157

Name of Agent:

Mr. Michael E. Goff
Wildlife Technical
Services, Incorporated
Post Office Box 820188
Vicksburg, Mississippi
39182-0188

Location of Work: Section 24, T7N-R1E, latitude 32°26'4.3724" longitude 90°87'9.0730", within the Pearl River drainage basin, Madison County, near Ridgeland, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant and a site visit by Corps personnel.

The applicant is applying for a Department of the Army permit to place fill into wetlands, pipe an intermittent stream, and relocate an intermittent stream. The purpose of the work is for construction of an office park development.

The project site consists of a total of 75.04 acres, of which 0.91 acres are wetland and 1.12 acres are other waters of the United States. The wetland acreage is made up of 0.91 acres of forested and herbaceous wetland. The other waters acreage on the site includes two intermittent streams involving 0.91 acres and two farm ponds involving 0.21 acres.

The applicant proposes to mechanically clear and fill 0.91 acres of wetlands and fill 0.21 acres of other waters of the United States to allow for the construction of access roads, streets, and utilities. Seven thousand cubic yards of silty clay loam fill material obtained from a clean commercial source would be used to fill the wetlands and farm ponds. Additionally the applicant proposes to pipe 1,600 feet of an intermittent stream that runs north to south on the west side of the property and reroute 2,104 feet of an intermittent stream that runs north to south on the east side of the property.

The applicant proposes to mitigate for the loss of wetlands through the restoration of 4 acres of prior converted open field wetlands in the Big Black River Basin in Warren County, Mississippi. Restoration will be accomplished through planting of site suitable hardwood seedlings during the February 2004 time frame. The species to be planted include green ash, cow oak, overcup oak, water oak, shumard oak and willow oak. The species will be planted in an approximately 12' x 12' spacing, yielding approximately 302 free-to-grow seedlings per acre. It is further proposed that the site will be monitored to ensure the survival of an average of 100 trees per acre after the first growing season. Additionally, it is proposed that a mitigation covenant would be placed on the mitigation area as per the existing Corps Guidelines and Regulations.

The mechanical clearing and placement of dredged and/or fill material in wetlands and other waters of the United States requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are

welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Madison County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.


Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general,

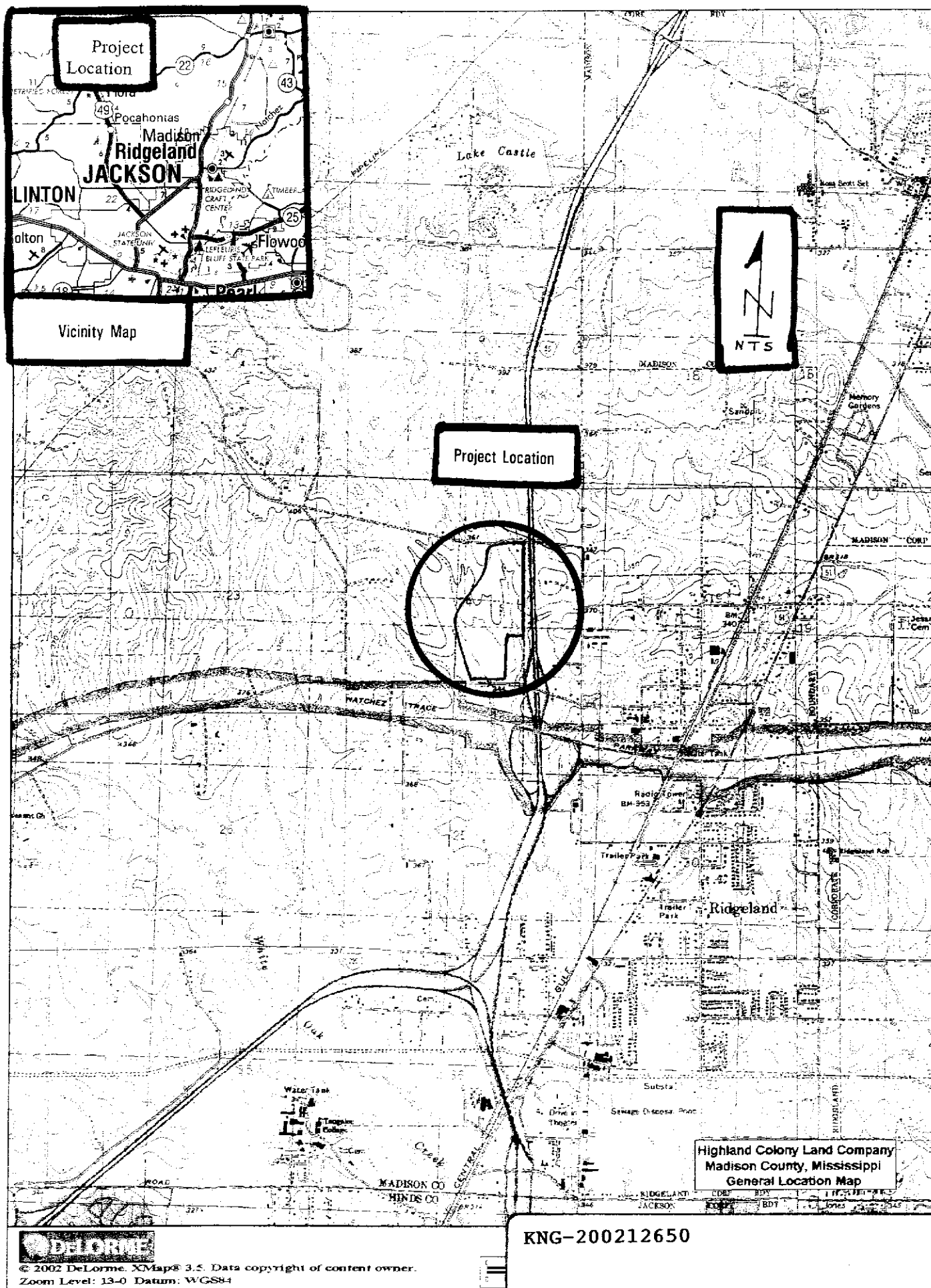
the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.


Joyce C. Butler
Acting Team Leader
Evaluation Section



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Zoom Level: 13-0 Datum: WGS84

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MR H C BAILEY JR



361

STREAM
(to be rerouted)

Farm Ponds

WETLANDS

STREAM
(to be piped)

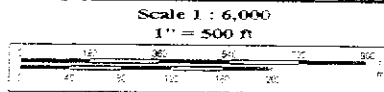
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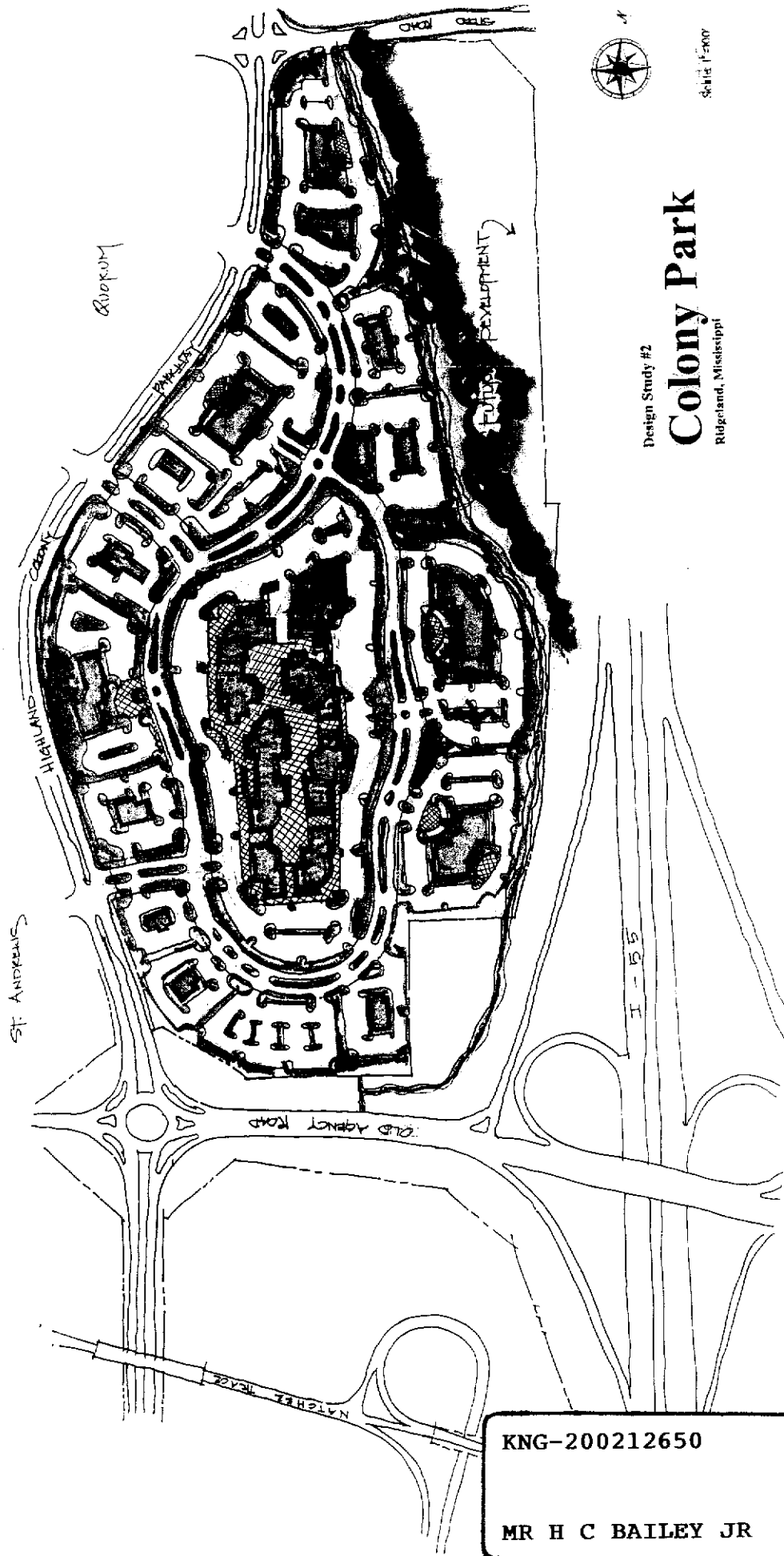
RACE

Highland Colony Land Company
Madison County, Mississippi
Site Map

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Design Study #2

Colony Park

Ridgeland, Mississippi

Scale 1"=200'

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